

URGENT ACTION

EGYPT: STOP CRACKDOWN AGAINST LGBTI INDIVIDUALS

The number of individuals arrested by Egyptian authorities for their perceived sexual orientation has risen to 76, with at least 32 individuals sentenced to prison. Meanwhile, the Egyptian parliament is debating a new draft law which would criminalize by law same-sex relationships if adopted.

According to the Egyptian Initiative for Personal Rights, the number of individuals arrested for their perceived sexual orientation has risen from 57 to at least 76 since the display of the rainbow flag at a Mashrou' Leila concert in Cairo, the capital, on 22 September. So far, 69 individuals remain in detention and 32 of them have been sentenced to between six months and six years in prison, while the others are awaiting sentencing.

Currently, 67 members of parliament have signed a bill criminalizing "same-sex relationships" in Egypt. The bill is expected to be reviewed and discussed by parliament during its current session, and if approved it would be sent to the president for sign off. The law sets out penalties of up to 15 years imprisonment, depending on the number of charges and the provisions of law a person is convicted under.

Among other things, the bill prohibits the public promotion or advertising of any LGBTI gatherings or parties. The penalty set for such acts is up to three years imprisonment. The bill also includes a clause that obliges the authorities to publicly name individuals convicted under the bill by publishing their names and sentences in two widely read national newspapers, thus fuelling the widespread stigma against people perceived to be gay.

Amnesty International considers anyone who is detained solely for their real or perceived sexual orientation or their gender identity a prisoner of conscience.

Please write immediately in Arabic, English, or your own language urging the Egyptian authorities to:

- Immediately and unconditionally release all those detained on the basis of their real or perceived sexual orientation, quash the sentences of those already convicted and drop all charges;
- Immediately end all forced anal examinations on detainees as they amount to torture and or other ill-treatment and order a prompt, impartial and effective investigation into the examinations that have already taken place;
- Reject the new bill criminalising "homosexuality" and any future legislation which fails to recognise and protect the rights of everyone, regardless of their real or perceived sexual orientation or gender identity, to freedom of expression and assembly, freedom from discrimination and equality before the law.

PLEASE SEND APPEALS BEFORE 21 DECEMBER 2017 TO:

Minister of Interior

Magdy Abdel Ghaffar
Ministry of Interior
Fifth Settlement, New Cairo, Egypt
Fax: +202 2794 5529 +2027927189
Email: center@iscmi.gov.eg or
E.HumanRightsSector@moi.gov.eg
Twitter: @moiegy

Salutation: Dear Minister

President

Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Arab Republic of Egypt
Fax: +202 2391 1441
Email: p.spokesman@op.gov.eg
Twitter: @AlsisiOfficial

Salutation: Your Excellency

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Laila Bahaa Eldin
Ministry of Foreign Affairs
Corniche el-Nile, Cairo, Egypt.
Fax: +202 2574 9713
Email: contact.us@mfa.gov.eg
Twitter: @MfaEgypt

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR NASSER AHMED KAMEL ALI, Embassy of the Arab Republic of Egypt, 26 South Street W1K 1DW, 020 7499 3304/2401, Fax 020 7491 1542, eg.emb.london@mfa.gov.eg and etembuk@hotmail.com

Please check with your section office if sending appeals after the above date. This is the first update of UA 231/17. Further information: <https://www.amnesty.org/en/documents/mde12/7230/2017/en/>

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ADDITIONAL INFORMATION

Up until now, the Egyptian authorities have relied on the Prostitution law no. 10 of 1961 to charge people suspected of engaging in same-sex sexual activity with “habitual debauchery” – an offence punishable by up to three years in prison. The newly proposed bill is the first time the Egyptian legislations specifically defines “homosexuality”.

The move comes following the display of the rainbow flag at a Mashrou' Leila concert in Cairo, the capital, on 22 September, after which Egyptian authorities launched a crackdown on LGBTI individuals in Egypt. The authorities have carried out at least five forced anal examinations of those arrested, which constitutes a breach of the absolute prohibition of torture and other cruel, inhuman or degrading treatment under international law. Security forces also detained two people who had allegedly raised the flag at the concert, and arrested people, unrelated to the flag incident, from different districts in Cairo, Ismailia, Damietta and Sharm al-Sheikh based on their perceived sexual orientation. The authorities also used online dating platforms to trap and arrest those they suspected of being gay. Among those currently being questioned is one woman, Sara Hegazy.

The 67 individuals detained face charges that include “habitual debauchery”, “inciting debauchery”, and “promoting sexual deviance”. Sara Hegazy and another man have received the same charges in addition to “belonging to a banned group”. These charges can carry prison sentences of up to 15 years under the penal code and the law on prostitution. Sara Hegazy told the prosecutor who questioned her that she was beaten and sexually harassed by her cell mates in the Saida Zenab police station in Cairo after the security forces there informed her cellmates that she was charged with “habitual debauchery”.

The incident of displaying the rainbow flag at the concert provoked a public outcry from local media that called for those involved in displaying the flag to be brought to justice. Following the smear campaign from local media, Egypt's public prosecutor announced an investigation into the promotion of “habitual debauchery” and “homosexuality” on 25 September. He further ordered state security prosecutors to open investigations against those who raised the flag.

The Supreme Media Council also issued a statement banning all media outlets from showing support, solidarity, or sympathy to LGBTI people and called on all media outlets to raise awareness against the “habitual debauchery” and LGBTI people, who it stated “do not fit in the Egyptian society traditions or culture” and that “this LGBTI phenomena must come to an end”.

Lawyers and NGOs in Egypt told Amnesty International that the numbers of persons detained for their perceived sexual orientation following the 22 September incident is most likely higher, but given the high rate at which the arrests are being carried out it is difficult to produce an accurate number.

This is the worst campaign of state-sanctioned homophobia in Egypt's recent history but is not an isolated incident. In 2001 the authorities carried out a mass raid on the Queen Boat, a floating nightclub on the Nile, arresting 52 people. 23 men were subsequently convicted under the Prostitution law. According to the Egyptian Initiative for Personal Rights, in the past four years and before the events of the past week, the authorities have arrested and prosecuted around 250 men for their perceived sexual orientation.

Further information on UA: 231/17 Index: MDE 12/7410/2017 Issue Date: 09 November 2017